

(Rev. 6/25/05) Prisoner Civil Rights Complaint

ORIGINAL

8

**Official Use Only**

Case Number

Jud

Case: 2:06-cv-15211

Assigned To: Lawson, David M

Referral Judge: Pepe, Steven D

Filed: 11-22-2006 At 08:57 AM

PRIS TOWNSEND V DUGGAN (EW)

**PRISONER CIVIL RIGHTS COMPLAINT**

This form is for use by state prisoners filing under 42 U.S.C. § 1983 and federal prisoners filing pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

**Plaintiff's Information**Name *Tony Toreal Townsend*Prisoner No. *231770*Place of Confinement *Carson City MDOC Corr. Fac. Boyer Road/Carson City*  
*P.O. Box 5000 Carson City, NE 48811-5000*Street *Boyer Road/Carson City P.O. Box 5000*City *Carson City*State *NE*Zip Code *48811-5000*

Are there additional plaintiffs?

☐ Yes☒ No

If yes, any additional plaintiffs to this action should be listed on a separate 8 1/2" x 11" sheet of paper and securely attached to the back of this complaint. You must provide names, prisoner numbers and addresses for all plaintiffs.

**Defendant's Information**Name *Mike E. Duggan*Position *Wayne County Prosecutor*Street/P.O. Box *1441 St. Antoine*City *Detroit, MI*State *MI*Zip Code *48824*

Are you suing this defendant in his/her:

☒ Personal Capacity☒ Official Capacity☒ Both Capacities

Are you suing more than one defendant?

☒ Yes☐ No

If yes, any additional defendants to this action should be listed on a separate 8 1/2" x 11" sheet of paper and securely attached to the back of this complaint. You must provide their names, positions, current addresses and the capacity (personal, official or both) in which you are suing them.

**I. PREVIOUS LAWSUITS**

Have you filed any other lawsuits in state or federal court relating to your imprisonment?

☐ Yes ☒ No

If "Yes," complete the following section. If "No," proceed to Part II.

Please list all prior civil actions or appeals that you have filed in federal court while you have been incarcerated.

Docket or Case Number:	252371
Name of Court:	Michigan Court of Appeals
Parties (Caption or Name of Case):	People of the State of Michigan Appellee v. Tony Townsend
Disposition:	Appeal Denied

Docket or Case Number:	130842
Name of Court:	Michigan Supreme Court of Appeals
Parties (Caption or Name of Case):	People of The State of Michigan Appellee v. Tony Toreal Townsend
Disposition:	Appeal Denied

Docket or Case Number:	To be assigned
Name of Court:	U.S. District Federal Habeas Corpus filed defective <sup>requested</sup> resend.
Parties (Caption or Name of Case):	People of The State of Michigan Appelle v. Tony Toreal Townsend
Disposition:	Federal Habeas is defective, I requested it to be sent back to me.

**Any additional civil actions should be listed on a separate sheet of 8½" x11" paper and securely attached to the back of this complaint.**

## II. ADMINISTRATIVE REMEDIES

You are required to inform the Court of the steps you took to exhaust available administrative remedies with regard to each of your claims and to attach to the complaint copies of the documents which show that you have done so. For example, attach copies of the grievances you submitted regarding each claim and the responses you received. If these documents are not available, you must describe in detail the administrative proceeding and its outcome so that the Court may determine what claims, if any, have been exhausted.

1. If you are in the custody of the State of Michigan or one of its subdivisions, did you:
  - a. File a grievance with the Step 1 Grievance Coordinator?  
☐ Yes      ☒ No
  - b. Appeal to the Step 2 Grievance Coordinator?  
☐ Yes      ☒ No
  - c. Appeal to the Step 3 Grievance Coordinator?  
☐ Yes      ☒ No

If you did not take one or more of these steps or, if these documents are not available, please explain: THIS IS NOT A MDAC ISSUE WITH AN EXCEPTION TO BUREAU  
FAKELY RETURNED THE DETROIT, POLICE AND WAYNE COUNTY GOVERNMENT AGENTS  
ACTORS, JUDGES, GOVERNMENT WILLFUL PARTICIPANTS OBSTRUCTED JUSTICE, COMMITTED  
FRAUD, WITNESS TAMPING, FALSE ARREST, RELIED ON KNOWN PERJURED TESTIMONY  
AND FALSE EVIDENCE, KNOWN MATERIAL FALS STATEMENTS CONCEALED MATERIAL  
KNOWN FALSE AFFIDAVITS TO PROCURE WARRANTS FOR A FALSE ARREST, UNCONSTITUTIONAL  
CIVIL RIGHTS DEPRIVATIONS AND DEPRIVED TONY TORDAL TOWNSEND OF ALL LIFE AND  
LIBERTY 42 USC § 1983, MCL 3.806 MCL 600.1701 ET SEQ, MCL 600.6470 § 6470  
THE JUDGES, POLICE, PROSECUTORS, KNEW I NEVER COMMITTED THESE CRIMES AND  
THESE ISSUES ARE PRESERVED ON THE RECORD AND EXHIBITS IN SUPPORT ARE FORTH COMING.

2. If you are a federal detainee, prisoner or parolee, and if your claim concerns parole, did you appeal to the National Appeals Board of the United States Parole Commission?  
☐ Yes      ☒ No

If no, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. If you are a federal detainee, prisoner or parolee, and if your claim involves something other than parole, did you:
- a. Attempt to resolve your complaint informally?  
☐ Yes      ☒ No
  - b. File a formal complaint?  
☐ Yes      ☒ No
  - c. Appeal to the warden?  
☐ Yes      ☒ No
  - d. Appeal to the Regional Director of the Bureau of Prisons?  
☐ Yes      ☒ No
  - e. Appeal to General Counsel for the Bureau of Prisons?  
☐ Yes      ☒ No

If not, please explain: NOT A MADOC ISSUE THE WAYNE COUNTY GOVERNMENT  
AGENTS AND ACTIONS AND STATE EMPLOYERS VIOLATED THE RULE AND COLOR OF LAW  
VIOLATING MY USCA I THRU XXVI

### III. STATEMENT OF FACTS

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include the names of other people, dates and places involved in the incident. Do not give any legal arguments or cite any cases or statutes. If you intend to allege several related claims, number and set forth each claim on a separate 8½" x 11" sheet of paper and securely attach the papers to the back of this complaint.

A Police Officer was shot and killed on August 11, 2002 in Eastside of the city  
of Detroit at 11224 Corbett. The Detroit Police NEVER did a complete or honest  
and thorough investigation, they just rounded up 20 people out of 150 people. Told  
people for gun power residue I did NOT have any at all because I did NOT  
shoot any one. Officers Derrick Thomas and Detroit Police Officers Michael  
Carlisle, and Lt MacCallister created induce this state-created danger with  
the Wayne County Prosecutors and 3rd Circuit Judges and 36th District  
Court Judges who should have NEVER bound this case over to 3rd Circuit Court  
of Wayne County Judge Townsend in 3rd Circuit outrageous Court conduct  
is unlawful and unconstitutional and illegal under both state and  
Federal Constitutions, See Attached Dates Exhibit Places.

## IV. RELIEF

State briefly and exactly what you want the Court to do for you.

1. vacate this illegal, unlawful, unconstitutional, fraudulently procured convictions +  
grant this petition and hold a full Franks hearing, to vacate this judgement
2. Order a full FBI Federal investigation And hold every state employee civilly  
and criminally fully responsible; And grant Federal indictments if Required.
3. Pursuant to Tresvant v. Tampa Florida award Damage of 1.5 million  
Dollars per minute From the date of 8/11/2002

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed (signed) on 10/31/06 (date).

Tony Townsend  
Signature of Plaintiff

\*\*\*\*\*

DEPARTMENT OF CORRECTIONS  
PRISONER STATIONARY

TO: NAME		
NO. AND STREET OR R.R.		
CITY	STATE	ZIP

FROM: NAME	
NO.	LOCK
INSTITUTION	DATE

IN CORRESPONDENCE, USE NAME AND NUMBER ON YOUR LETTER AND ENVELOPE

NAMES	Address	Public # or Clock #
Derrick Thomas DP Dpt.	1300 Beaubien Detroit, MI 48226	1253
Michael Carlisle DP Dpt.	1300 Beaubien Detroit, MI 48226	4339
Ray McCalister DP Dpt.	1300 Beaubien Detroit, MI 48226	
Dana Russell DP Dpt.	1300 Beaubien Detroit, MI 48226	3794
Scott Stewart DP Dpt.	1300 Beaubien Detroit, MI Deceased	4118
Scott Kurczal DP Dpt.	1300 Beaubien Detroit, MI 48226	161
Lt Lyons DP Dpt.	1300 Beaubien Detroit, MI 48226	L-250
Lt V. Vivrette DP Dpt.	1300 Beaubien Detroit, MI 48226	L-61
Inv. E. Todd DP Dpt.	1300 Beaubien Detroit, MI 48226	I-22
Robert M. West DP Dpt.	1300 Beaubien Detroit, MI 48226	4882
R. Clements Dpt	1300 Beaubien Detroit, MI 48226	
Det. Anthony Abdallah	1300 Beaubien Detroit, MI 48226	
Everet Monroe DP Dpt	1300 Beaubien Detroit, MI 48226	
Edward William DP Dpt	1300 Beaubien Detroit, MI 48226	

NOT Limited to these officers the Prosecution Never Disclosed All Known Evidence Under Brady v. Maryland, 373 US 83, 83 SCT 1194 (1963)

Anette Berry Judge 3r. Cir. 1441 St. Antoine Detroit, MI 48226-2384 (313) 224-4679  
 Leonard Townsend 3rd Cir. Judge 1441 St. Antoine Detroit, MI 48226-2384 (313) 224-5201  
 Norma Y. Dotsort 36th District 5600 Oakman Blvd Detroit, MI 48204 (Not Available)  
 David Cripp defense lawyer (retained) 535 Griswold St Ste 2632 Detroit, MI 48226 (313) 963-0210  
 William Winters defense lawyer (court appointed) 17940 Farmington Rd Ste 200 Livonia, MI 48152 (734) 913-4010  
 Stanford A. Schulman (apparent counsel) 407 E. Fort St. Ste 110 Detroit, MI 48226 (313) 963-4740  
 Wayne County Prosecutor Donna Pendergast P.O. Box 30218 Lansing, MI 48909 (517) 241-6504  
 Wayne County Prosecutor Demetrius Bruce 1441 St. Antoine Detroit, MI 48226 (313) 224-8446  
 Michael Duggan Chief Wayne County Prosecutor at Time 3990 John R. St. Detroit, MI 48201 (313) 745-1250  
 Wayne County Prosecutor Janet Napp 1441 St. Antoine Detroit, MI 48226 (313) 224-5777

DEPARTMENT OF CORRECTIONS  
PRISONER STATIONARY

TO: NAME		
NO. AND STREET OR R.R.		
CITY	STATE	ZIP

FROM: NAME	
NO.	LOCK
INSTITUTION	DATE

IN CORRESPONDENCE, USE NAME AND NUMBER ON YOUR LETTER AND ENVELOPE

Timothy A. Baughman Prosecutor Wayne County 1441 St. Antoine St Detroit, MI 48226 (313) 224-5792  
 Tim Fortan Prosecutor Wayne County 1441 St. Antoine St. Detroit, MI 48226 (313) 224-5792  
 Elizabeth J. Walker Prosecutor Wayne County 1441 St Antoine St Detroit, MI 48226 (313) 224-5804

## TO BE FILED IN DUPLICATE WITH EVERY NEW CIVIL ACTION

Listed Plaintiff

Toreal Townsend

Name of 1<sup>st</sup> Listed Defendant

Mike E. Duggan

Case Number:

231770

Defence

Case: 2:06-cv-15211

Assigned To: Lawson, David M

Referral Judge: Pepe, Steven D

Filed: 11-22-2006 At 08:57 AM

PRIS TOWNSEND V DUGGAN (EW)

## FACILITIES, LISTED ALPHA BY CITY:

- |  |  |   |  |  |
|--|--|---|--|--|
| <input type="checkbox"/> PARR HIGHWAY CORRECTIONAL FACILITY<br>2727 E. BEECHER STREET<br>ADRIAN, MI 49221  | <input type="checkbox"/> SAGINAW CORRECTIONAL FACILITY<br>9625 PIERCE ROAD<br>FREELAND, MI 48623<br>SAGINAW COUNTY CODE: 26145                   | <input type="checkbox"/> CH<br>434<br>KIN   | <input type="checkbox"/> HIAWATHA CORRECTIONAL FACILITY<br>4533 MARSHALL ROAD<br>KINCHELOE, MI 49786-0001                          | <input type="checkbox"/> NEWBERRY CORRECTIONAL FACILITY<br>3001 NEWBERRY AVENUE<br>NEWBERRY, MI 49868<br>LUCE COUNTY CODE: 26095       |
| <input type="checkbox"/> GUS HARRISON CORRECTIONAL FACILITY<br>P2727 E. BEECHER STREET<br>ADRIAN, MI 49221<br>LENAWEE COUNTY CODE: 26091         | <input type="checkbox"/> WILLIAM DICKERSON FACILITY<br>3501 HAMTRAMCK DRIVE<br>HAMTRAMCK, MI 48211<br>WAYNE COUNTY CODE: 26163                   | <input type="checkbox"/> STRAITS CORRECTIONAL FACILITY<br>4269 W. M-80<br>KINCHELOE, MI 49784-0001  | <input type="checkbox"/> SCOTT CORRECTIONAL FACILITY<br>47600 FIVE MILE ROAD<br>PLYMOUTH, MI 48170                                 | <input type="checkbox"/> WESTERN WAYNE CORRECTIONAL FACILITY<br>48401 FIVE MILE ROAD<br>PLYMOUTH, MI 48170<br>WAYNE COUNTY CODE: 26163 |
| <input type="checkbox"/> BARAGA MAXIMUM CORRECTIONAL FACILITY<br>301 WADAGA ROAD<br>BARAGA, MI 49908<br>BARAGA COUNTY CODE: 26013                | <input type="checkbox"/> BELLAMY CREEK CORRECTIONAL FACILITY<br>1727 W. BLUEWATER HIGHWAY<br>IONIA, MI 48846                                     | <input type="checkbox"/> KINROSS CORRECTIONAL FACILITY<br>16770 S. WATERTOWER DRIVE<br>KINCHELOE, MI 49788<br>CHIPPewa COUNTY CODE: 26033               | <input type="checkbox"/> OAKLAND COUNTY JAIL<br>P.O. BOX 436017<br>PONTIAC, MI 48343<br>OAKLAND COUNTY CODE: 26125                 | <input type="checkbox"/> MID-MICHIGAN CORRECTIONAL FACILITY<br>8201 N. CROSWELL ROAD<br>ST. LOUIS, MI 48880                            |
| <input checked="" type="checkbox"/> BOYER ROAD CORRECTIONAL FACILITY<br>10274 BOYER ROAD<br>CARSON CITY, MI 48811<br>MONTCALM COUNTY CODE: 26117 | <input type="checkbox"/> IONIA MAXIMUM FACILITY<br>1576 W. BLUEWATER HIGHWAY<br>IONIA, MI 48846  | <input type="checkbox"/> MARQUETTE BRANCH PRISON<br>1968 S. US-41<br>MARQUETTE, MI 49855<br>MARQUETTE COUNTY CODE: 26103                                | <input type="checkbox"/> PINE RIVER CORRECTIONAL FACILITY<br>320 N. HUBBARD<br>ST. LOUIS, MI 48880                                 | <input type="checkbox"/> ST. LOUIS CORRECTIONAL FACILITY<br>8585 N. CROSWELL ROAD<br>ST. LOUIS, MI 48880<br>GRATIOT COUNTY CODE: 26057 |
| <input type="checkbox"/> FLORENCE CRANE CORRECTIONAL FACILITY<br>P.O. BOX 307, 38 FOURTH STREET<br>COLDWATER, MI 49036                           | <input type="checkbox"/> DEERFIELD CORRECTIONAL FACILITY<br>1755 HARWOOD ROAD<br>IONIA, MI 48846   | <input type="checkbox"/> THUMB CORRECTIONAL FACILITY<br>3225 JOHN CONLEY DRIVE<br>LAPEER, MI 48446<br>LAPEER COUNTY CODE: 26087                         | <input type="checkbox"/> STANDISH MAXIMUM CORRECTIONAL FACILITY<br>4713 W. M-61<br>STANDISH, MI 49658<br>ARENAC COUNTY CODE: 26011 | <input type="checkbox"/> HURON VALLEY CENTER<br>3511 BEMIS ROAD<br>YPSILANTI, MI 48197   |
| <input type="checkbox"/> LAKELAND CORRECTIONAL FACILITY<br>141 FIRST STREET<br>COLDWATER, MI 49036<br>BRANCH COUNTY CODE: 26023                  | <input type="checkbox"/> RIVERSIDE CORRECTIONAL FACILITY<br>777 W. RIVERSIDE DRIVE<br>IONIA, MI 48846  | <input type="checkbox"/> FEDERAL CORRECTIONAL INSTITUTION - MILAN<br>P.O. BOX 1000<br>MILAN, MI 48160-1090<br>WASHTENAW COUNTY CODE: 26161              | <input type="checkbox"/> HURON VALLEY MEN'S FACILITY<br>3201 BEMIS ROAD<br>YPSILANTI, MI 48197<br>WASHTENAW COUNTY CODE: 26161     |  |
| <input type="checkbox"/> MOUND CORRECTIONAL FACILITY<br>17601 MOUND ROAD<br>DETROIT, MI 48212  | <input type="checkbox"/> HANDLON MICHIGAN TRAINING UNIT<br>1728 BLUEWATER HIGHWAY<br>P.O. BOX 492<br>IONIA, MI 48846<br>IONIA COUNTY CODE: 26087 | <input type="checkbox"/> MACOMB COUNTY JAIL<br>P.O. BOX 2308<br>MOUNT CLEMONS, MI 48043<br>MACOMB COUNTY CODE: 26088                                    |  |  |
| <input type="checkbox"/> RYAN CORRECTIONAL FACILITY<br>17600 RYAN ROAD<br>DETROIT, MI 48212  | <input type="checkbox"/> COOPER STREET CORRECTIONAL FACILITY<br>3100 COOPER STREET<br>JACKSON, MI 49201  | <input type="checkbox"/> MUSKEGON CORRECTIONAL FACILITY<br>2400 SHERIDAN DRIVE<br>MUSKEGON, MI 49442  |  |  |
| <input type="checkbox"/> WAYNE COUNTY JAIL<br>570 CLINTON STREET<br>DETROIT, MI 48226<br>WAYNE COUNTY CODE: 26163                                | <input type="checkbox"/> G. ROBERT COTTON CORRECTIONAL FACILITY<br>3510 N. ELM ROAD<br>JACKSON, MI 49201   | <input type="checkbox"/> EARNEST C. BROOKS CORRECTIONAL FACILITY<br>2500 S. SHERIDAN DRIVE<br>MUSKEGON HEIGHTS, MI 48444<br>MUSKEGON COUNTY CODE: 26121 |  |  |
| <input type="checkbox"/> OAKS CORRECTIONAL FACILITY<br>P.O. BOX 38, 1500 CABERFAE HWY.<br>EASTLAKE, MI 49626-0038<br>MANISTEE COUNTY CODE: 26101 | <input type="checkbox"/> CHARLES EGELER RECEPTION AND GUIDANCE CENTER<br>3855 COOPER STREET<br>JACKSON, MI 49201                                 | <input type="checkbox"/> ALGER MAXIMUM FACILITY<br>P.O. BOX 600<br>INDUSTRIAL PARK DRIVE<br>MUNISING, MI 49862<br>ALGER COUNTY CODE: 26003              |  |  |
| <input type="checkbox"/> GENESSE COUNTY JAIL<br>1002 S. SAGINAW<br>FLINT, MI 48502<br>GENESSE COUNTY CODE: 26049                                 | <input type="checkbox"/> PARNALL CORRECTIONAL FACILITY<br>1780 E. PARNALL<br>JACKSON, MI 49201   |   |  |  |
|  | <input type="checkbox"/> SOUTHERN MICHIGAN CORRECTIONAL FACILITY<br>4010 COOPER STREET<br>JACKSON, MI 49201<br>JACKSON COUNTY CODE: 26075        |   |  |  |

## OFFICE USE ONLY

PLAINTIFF ADDRESS: (IF NOT ABOVE)

BASIS OF JURISDICTION

ORIGIN

CASE OPENING

- ☒ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity

- ☒ 1 Original Proceeding  
☐ 2 Removed From State Court  
☐ 5 Transferred from another District

- ☒ OPEN AS FP  
☒ OPEN AS CV  
☐ OPEN AS X  
☐ CHANGE X TO CV  
☐ CHANGE X TO FP  
☐ NO CREDIT REASSIGN TO

## NATURE OF SUIT

## JURY DEMAND

Check YES only if demanded in complaint

- ☒ No  
☐ Yes

PLAINTIFF'S COUNTY OF RESIDENCE:

- ☐ 510 Motions to Vacate Sentence  
☐ 530 Habeas Corpus  
☐ 535 Habeas/Death Penalty  
☐ 540 Mandamus  
☒ 550 Civil Rights  
☐ 555 Prison Condition  
☐ 890 Other

## FEE STATUS

- ☒ IFP In Forma Pauperis  
☐ WAI Waived  
☐ PD Fee Paid